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17 Attorneys for defendants Banc of America Securities LLC, Banc  
18 of America Funding Corporation, Banc of America Mortgage  
19 Securities, Inc., and Bank of America Corporation

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 FEDERAL HOME LOAN BANK OF SAN  
2 FRANCISCO,

3 PLAINTIFF,

4 V.

5 CREDIT SUISSE SECURITIES (USA) LLC, ET.  
6 AL.,

7 DEFENDANTS.

8 CASE NO. CV-10-3045 SC

9 STATEMENT OF NON-  
10 OPPOSITION TO MOTION TO  
11 FILE SECOND AMENDED  
12 COMPLAINT

1           On November 5, 2010, plaintiff, Federal Home Loan Bank of San Francisco, filed a  
2 motion under Rule 15 for leave to file a second amended complaint. Banc of America Securities  
3 LLC, Banc of America Funding Corporation, Banc of America Mortgage Securities, Inc., and  
4 Bank of America Corporation do not oppose plaintiff's motion.

5           Banc of America Securities LLC, Banc of America Funding Corporation, Banc of  
6 America Mortgage Securities, Inc., and Bank of America Corporation each expressly reserves all  
7 of its procedural and substantive rights, including the rights to challenge the sufficiency of  
8 plaintiff's second amended complaint, plaintiffs' compliance with the applicable statute of  
9 limitations, the Court's subject matter jurisdiction and personal jurisdiction over the parties, in  
10 connection this non-opposition.

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13           Dated: December 17, 2010

DARRYL P. RAINS  
EUGENE ILLOVSKY  
CRAIG D. MARTIN  
MORRISON & FOERSTER LLP

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By: /s/ Darryl P. Rains  
Darryl P. Rains

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Attorneys for defendants Banc of  
America Securities LLC, Banc of  
America Funding Corporation,  
Banc of America Mortgage  
Securities, Inc., and Bank of  
America Corporation

1 \* \* \* \*  
2 **ECF ATTESTATION**  
3

4 I, Anne K. Davis, am the ECF User whose ID and Password are being used to file this  
5

6 **STATEMENT OF NON-OPPOSITION TO MOTION FILE SECOND AMENDED**

7 **COMPLAINT.** In compliance with General Order 45, X.B., I hereby attest that Darryl P. Rains

8 has concurred in this filing.  
9

10 DATED: December 17, 2010  
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12 MORRISON & FOERSTER LLP  
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14 By: /s/ Anne K. Davis  
15 Anne K. Davis  
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